



LORD CHIEF JUSTICE  
OF ENGLAND AND WALES

THE RIGHT HON. THE LORD THOMAS OF CWMGIEDD  
LORD CHIEF JUSTICE OF ENGLAND AND WALES

DINNER FOR HER MAJESTY'S JUDGES

WEDNESDAY 9 JULY 2014

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1. My Lord Mayor, Ladies and Gentleman.
2. This year has been a year of firsts for me – most expected, and all daunting. But one was a little out of the ordinary – my first video performance. Let me explain.
3. Earlier this year Sir Jeremy Sullivan, the Senior President of Tribunals, and I were asked to make a video. Were we to become stars of stage and screen? Had *Belle* inspired the thought that a Chief Justice and Senior President could play a real role? My Lord Mayor I am afraid to say that such thoughts were all too far from the mark. We were, in fact, to make a training video for the Judicial College.
4. Might we nevertheless deliver our lines in the manner of Ralph Richardson and John Gielgud acting in Pinter's *No Man's Land*? They were, of course, two grand old men at the height of their powers, delivering career-defining performances, which enthralled audiences, kept the critics thoroughly engaged, and provided a master class for aspiring actors. What better image for the pair of us. Others, I am afraid to say, were not so sure.
5. In fact, and my Lord Mayor, I am sure you will be shocked to hear this, it was suggested that rather than Richardson and Gielgud we were likely to be more Waldorf and Statler, the two old hecklers from the stage left balcony at the

Muppet Show: the pair who spent more of their time enjoying their own witticisms than the show itself. I suppose there are worse things we could have been compared to. (That's not an invitation.)

6. The video we were asked to make is an important aspect of how the judiciary has – and is continuing to – change. It is one aspect of the work which the Judicial College carries out to ensure that anyone who sits as a judge in the courts or tribunals has the necessary skills – the judge-craft – to carry out the proper administration of justice.
7. Equally, it is an important part of opening up entry to the judiciary to those from non-traditional backgrounds; to those who have not, as was historically the case, spent their time in court arguing cases. The development of such skills training for judges is part and parcel of encouraging into the judiciary solicitors, CILEx lawyers, government lawyers and other employed lawyers, and promoting judicial diversity.
8. This is important, both to maintain public confidence in the judiciary, and also to ensure that the most able judges are appointed. The wider the pool, the greater the competition and the better the appointments made. We must ensure that we do all we can to maintain the quality within that pool, to attract the best and brightest from it, and to support and train judges throughout their careers. We are making progress; it is not be as fast as many would wish, but more of that in a moment.
9. Improving judicial training and increasing diversity are important for another reason. One of the historic strengths, and one of the great attractions of our justice system, has been the confidence which has been reposed in our judicial system – its reputation for independence and impartiality and the worldwide reputation for excellence that our judges have secured. I think we sometimes do not make it sufficiently clear that through developing the law and vindicating rights, whether they are private or public, our judicial system provides the sure framework through which our society, its commerce, its industry can flourish, our freedoms protected, and the rule of law upheld.
10. In England and Wales we tend to take matters for granted. We tend not to talk about our achievements. Some say that is because we naturally tend to

modesty. Others suggest that we take the same approach as a certain French aristocrat whose nobility, it was said, was always to be known but never mentioned. My Lord Mayor, I hope you won't mind, if I suggest we set aside such an approach. We should no longer be reticent. We – the Judiciary, the Government, Parliament and the City of London – have a powerful case to make. We should do so whenever we properly can, as we live in a world where we face competition, including competition for resources in our own nation.

11. May I say a word more about our achievements? First, let me return to the Judicial College. Its transformation from the Judicial Studies Board, as training was a word that dared not speak its name, to the Judicial College has been remarkable. It is now recognised as one of the leading judicial training institutes in the world. It is playing an increasingly important role in spearheading the training of judges in other countries. In many different ways, it is helping to strengthen the foundations of the rule of law together with economic prosperity. Its training has recently been acknowledged as the best in Europe. The Directors of Training, the staff, all its Chairmen and in particular Lord Justice Maurice Kay and Lady Justice Hallett deserve our warmest thanks for their work.
12. Our courts and tribunals judiciary, whether they are presiding over procedural applications, civil or criminal trials, tribunal hearings or appeals, are truly excellent. However, we sometimes forget that at the heart of our system and what distinguishes it from most others are first, the excellence of our trial judges, and secondly, our ability to deploy them to the right case. When comparisons are drawn, it is the ability of our system to provide our High Court trial judges with many years of experience of the issues to be determined that trumps the others. No continental system nor any based on such systems can do this. Nor do other systems have the confidence in those leading the trial courts to allow them to allocate judges to cases, as we do here.
13. We cannot, however, be complacent. For example, there is much that is happening in the international financial markets on which the prosperity of the City and our nation depends. We must be sure that we are providing at the Rolls Building what the markets require by way of fast, efficient and economical

dispute resolution. We will be looking closely through joint work between the Chancery Division and the Commercial Court of the Queen's Bench Division at what more we can do to meet the needs of court users in financial cases, seeking views from the institutions, the markets and the professions.

14. Our determination not to be complacent is demonstrated by much else that is being done across the entire system – some well-known, such as the reforms to the Family Court and the review of the Criminal Courts, but much else that is being quietly planned or undertaken. Some might observe that there is perhaps too much change. You may be surprised to hear that occasionally I share that view, particularly when contemplating the very considerable challenges that face us in wisely and prudently spending funds made available by HM Treasury for proper investment in courts and tribunals. Securing that investment, as I have said before, is a remarkable achievement. I am very grateful to you, my Lord Chancellor, for your considerable work to that end.
15. But important though infrastructure and procedural and other reforms are (as of course are funds necessary to implement these), it is the maintenance of the gold standard of our judiciary, in particular the trial judges of our High Court, that is critical. Our endeavour must be to reinforce that standard as we increase the diversity of which I have spoken. It will not be easy, given the very considerable attractions of the private sector. I spoke here a little earlier in the year and sought the help of the City; I would like to thank now the City's lawyers for joining with the judiciary, the JAC and the Ministry of Justice in that endeavour. I hope that by the time in the not too distant future you, my Lord Mayor, become Master of the City of London Solicitors Company, we will have made real progress on this important joint endeavour.
16. By these means, I think that what is excellent in our system of justice now will not just continue to be in the future, but will be even better. And as such the benefit that brings – and will continue to bring – to the economy and through securing justice and the rule of law cannot but be enhanced. It is, for all these reasons, time for us all to step down from the stage left balcony and to make the case as persuasively as Gielgud and Richardson played their parts in Pinter's play.

17. My Lord Mayor, on behalf of Her Majesty's judges may I thank you and thank this City for the enormous help and support that you provide to the judiciary in our many joint endeavours and may I especially thank you for your most generous hospitality this evening.

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